

111TH CONGRESS
1ST SESSION

H. R. 3375

To amend title 18, United States Code, to increase penalties for certain fraud offenses committed to facilitate terrorism, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2009

Mr. KRATOVIL (for himself and Mr. HARPER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 18, United States Code, to increase penalties for certain fraud offenses committed to facilitate terrorism, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop White-collar As-
5 sistance to Terrorists Act”.

6 **SEC. 2. CREDIT CARD FRAUD.**

7 Section 1029 (c) of title 18, United States Code, is
8 amended by adding at the end the following:

1 “(3) SPECIAL RULE FOR TERRORISM-RELATED
2 OFFENSES.—If the offense under this section was
3 committed to facilitate an act of domestic terrorism
4 (as defined in section 2331) or an act of inter-
5 national terrorism (as defined in section 2331) the
6 maximum term of imprisonment is 20 years in the
7 case of a first-time conviction under this section, and
8 30 years if a prior conviction under this section has
9 occured.”.

10 **SEC. 3. FINANCIAL FRAUD.**

11 (a) COUNTERFEIT OR FORGED SECURITIES.—Sub-
12 sections (a) and (b) of section 513 of title 18, United
13 States Code, are each amended by inserting “, but if the
14 offense is committed to facilitate an act of domestic ter-
15 rorism (as defined in section 2331) or an act of inter-
16 national terrorism (as defined in section 2331) the max-
17 imum term of imprisonment is 25 years” after “or both”.

18 (b) OPERATING AN UNLICENSED MONEY TRANSMIT-
19 TING BUSINESS.—Section 1960(a) of title 18, United
20 States Code, is amended by inserting “, but if the offense
21 is committed to facilitate an act of domestic terrorism (as
22 defined in section 2331) or an act of international ter-
23 rorism (as defined in section 2331) the maximum term
24 of imprisonment is 20 years” after “or both”.

1 (c) MONEYLAUNDERING.—Section 1956(a) of title
2 18, United States Code, is amended by adding at the end
3 the following new paragraph:

4 “(4) If the offense under this subsection is com-
5 mitted to facilitate an act of domestic terrorism (as
6 defined in section 2331) or an act of international
7 terrorism (as defined in section 2331) the maximum
8 term of imprisonment for that offense is 30 years.”.

9 (d) BRIBERY.—Section 201 of title 18, United States
10 Code, is amended—

11 (1) in subsection (b), by inserting “, but if the
12 offense under paragraph (1) is committed to facili-
13 tate an act of domestic terrorism (as defined in sec-
14 tion 2331) or an act of international terrorism (as
15 defined in section 2331) the maximum term of im-
16 prisonment is 30 years” after “under the United
17 States”; and

18 (2) in subsection (c), by inserting “, but if the
19 offense under paragraph (1) is committed to facili-
20 tate an act of domestic terrorism (as defined in sec-
21 tion 2331) or an act of international terrorism (as
22 defined in section 2331) the maximum term of im-
23 prisonment is 10 years” after “or both”.

24 (e) SOCIAL SECURITY FRAUD.—Section 208(a) of the
25 Social Security Act (42 U.S.C. 408(a)) is amended by in-

1 serting “, but in the case of any offense under this sub-
 2 section that was committed to facilitate an act of domestic
 3 terrorism (as defined in section 2331) or an act of inter-
 4 national terrorism (as defined in section 2331) the max-
 5 imum term of imprisonment is 20 years” after “or both”.

6 **SEC. 4. PROVIDING MATERIAL SUPPORT TO TERRORISTS.**

7 Section 2339A of title 18, United States Code, is
 8 amended by striking “15 years” and inserting “30 years”.

9 **SEC. 5. AMENDMENT TO THE SENTENCING GUIDELINES RE-**
 10 **LATING TO CERTAIN CRIMES.**

11 (a) IN GENERAL.—Pursuant to its authority under
 12 section 994 of title 28, United States Code, and in accord-
 13 ance with this section, the United States Sentencing Com-
 14 mission shall review and, if appropriate, amend the sen-
 15 tencing guidelines and policy statements applicable to per-
 16 sons convicted of an offense committed to facilitate ter-
 17 rorism under sections 201, 513, 1029, 1956, 1960, and
 18 2339A of title 18, United States Code, and section 208(a)
 19 of the Social Security Act (42 U.S.C. 408(a)) in order to
 20 reflect the intent of Congress that such penalties be in-
 21 creased in comparison to those currently provided by the
 22 sentencing guidelines and policy statements.

23 (b) CONSIDERATIONS.—In carrying out this section,
 24 the Sentencing Commission, shall—

1 (1) ensure that the sentencing guidelines and
2 policy statements reflect Congress' intent that the
3 sentencing guidelines and policy statements reflect
4 the—

5 (A) serious nature of the offenses de-
6 scribed in this Act; and

7 (B) need for an effective deterrent and ap-
8 propriate punishment to prevent such offenses;

9 (2) consider the extent to which the sentencing
10 guidelines and policy statements may or may not ap-
11 propriately account for—

12 (A) the potential and actual harm to the
13 public from the offense;

14 (B) the level of sophistication and planning
15 involved in the offense; and

16 (C) whether the offense was intended to or
17 had the effect of creating a threat to public
18 health or safety, injury to another person, or
19 even death;

20 (3) assure reasonable consistency with other
21 relevant directives and with other sentencing guide-
22 lines and policy statements;

23 (4) account for any additional aggravating or
24 mitigating circumstances that may justify exceptions
25 to the generally applicable sentencing ranges; and

1 (5) assure that the sentencing guidelines and
2 policy statements adequately meet the purposes of
3 sentencing as set forth in section 3553(a)(2) of title
4 18, United States Code.

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